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6 Attorneys for Defendant
FRANCISCO MELGOZA
7

8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 vs.

14 FRANCISCO MELGOZA,

15 Defendant.
16
17

Case No.: 1:21-cr-00192-JLT-SKO

**STIPULATION TO CONTINUE
SENTENCING; ORDER**

Date: October 14, 2022

Time: 9:00 a.m.

Judge: Hon. Jennifer L. Thurston

18 IT IS HEREBY STIPULATED, by and between the parties, through their respective
19 counsel, Assistant United States Attorney Christopher D. Baker, counsel for plaintiff, and
20 Assistant Federal Defender Reed Grantham, counsel for defendant Francisco Melgoza, that the
21 sentencing hearing currently scheduled in the above-captioned matter for September 9, 2022, at
22 9:00 a.m., before the Honorable Jennifer L. Thurston, be continued to October 14, 2022, at 9:00
23 a.m.

24 On June 3, 2022, Mr. Melgoza entered a guilty plea to Count 1 of the Indictment filed on
25 July 22, 2021. *See* Dkt. #41, #14. At that time, the matter was set for sentencing on September 9,
26 2022. *See* Dkt. #41. On June 30, 2022, the assigned probation officer contacted undersigned
27 defense counsel to set up the Presentence Investigation Report (PSR) interview with Mr.
28 Melgoza. Unfortunately, at that time, undersigned counsel was not able to set up a phone or

1 zoom call with Mr. Melgoza to discuss and prepare for the PSR interview since Mr. Melgoza
 2 was in pretrial custody at the Lerdo Pre-Trial Facility (Lerdo) in Kern County, and Lerdo had
 3 stopped making defendants available for phone or zoom calls. When Lerdo resumed phone and
 4 zoom calls with defendants, undersigned counsel set up a zoom call with Mr. Melgoza on July
 5 12, 2022. However, the call was limited in duration to 30 minutes. Because more time was
 6 needed to discuss and prepare for the PSR interview, on July 20, 2022, undersigned counsel went
 7 in-person to Lerdo to meet with Mr. Melgoza. Thereafter, undersigned counsel contacted the
 8 assigned probation officer and suggested either Monday, July 25, 2022, or Tuesday, July 26,
 9 2022, for the PSR interview, however, the assigned probation officer was not available those
 10 dates. Due to the schedules of the assigned probation officer and undersigned counsel, the
 11 earliest available date for the interview was Tuesday, August 9, 2022.¹

12 The assigned probation officer has indicated that a date of October 14, 2022, would
 13 provide sufficient time for sentencing purposes. Accordingly, the parties request that the
 14 sentencing hearing be continued to this date. The requested continuance is made with the
 15 intention of conserving time and resources for both the parties and the Court. The government is
 16 in agreement with this request and the requested date is a mutually agreeable date for both
 17 parties. Additionally, the parties request that the due dates for any informal and formal objections
 18 to the PSR be modified in accordance with this request. As this is a sentencing hearing, no
 19 exclusion of time is necessary.

20 Respectfully submitted,
 21 PHILLIP A. TALBERT
 22 United States Attorney

23 Date: July 26, 2022

24 /s/ Christopher D. Baker
 25 CHRISTOPHER D. BAKER
 26 Assistant United States Attorney
 27 Attorney for Plaintiff

28 ¹ Undersigned counsel has scheduled pre-paid leave starting Wednesday, July 27, 2022, through Sunday, August 7, 2022.

HEATHER E. WILLIAMS
Federal Defender

Date: July 26, 2022

/s/ Reed Grantham
REED GRANTHAM
Assistant Federal Defender
Attorney for Defendant
FRANCISCO MELGOZA

ORDER

IT IS HEREBY ORDERED that the sentencing hearing scheduled for Friday, September 9, 2022, at 9:00 a.m. be continued to Friday, October 14, 2022, at 9:00 a.m.

IT IS SO ORDERED.

Dated: **July 26, 2022**


UNITED STATES DISTRICT JUDGE